VERSION WITH MARKING TO SHOW CHANGES MADE

PLease cancel claims 4, 9, and 14

Please amend claim 1 to read as follows:

1   1. (Twice Amended) An interactive computer controlled
2   display system with speech command input recognition
3   comprising:
4   means for predetermining a plurality of speech commands
5   for respectively initiating each of a corresponding
6   plurality of system actions,
7   means for providing for each of said plurality of
8   commands, an associated set of non-command speech terms,
9   each term having relevance to its associated command,
10   means for detecting speech command and non-command
11   speech terms,
12   means responsive to a detected speech command for
13   displaying said command, and
14   means responsive to a detected non-command speech term
15   having relevance to one of said commands for displaying the
16   relevant command <u>simultaneously with said detected speech</u>
17   <u>command</u>.

Please amend claim 6 to read as follows:

1   6. (Twice Amended) A method for providing speech command
2   input to an interactive computer controlled display system
3   with speech command input recognition comprising:
4   predetermining a plurality of speech commands for
5   respectively initiating each of a corresponding plurality of
6   system actions,
7   providing for each of said plurality of commands, an
8   associated set of non-command speech terms, each term having
9   relevance to its associated command,
10   detecting speech command and non-command speech terms,
11   displaying a speech command responsive to its detection
12   as a speech command, and
13   responsive to a detected non-command speech term having
14   relevance to one of said commands displaying the relevant
15   command simultaneously with said detected speech command.

Please amend claim 11 to read as follows:

1   11. (Twice Amended) A computer program having program code
2   included on a computer readable medium for speech command
3   input recognition in an interactive computer controlled
4   display system comprising:
5   means for predetermining a plurality of speech commands
6   for respectively initiating each of a corresponding
7   plurality of system actions,
8   means for providing for each of said plurality of
9   commands, an associated set of non-command speech terms,
10   each term having relevance to its associated command,
11   means for detecting speech command and non-command
12   speech terms,
13   means responsive to a detected speech command for
14   displaying said command, and
15   means responsive to a detected non-command speech term
16   having relevance to one of said commands for displaying the
17   relevant command <u>simultaneously with said detected speech</u>
18   <u>command</u>.

REMARKS

The claims herein have been provisionally rejected based on double patenting with respect to claims 1-15 of copending Application No. 09/213,858. It is respectfully requested that this rejection be held in abeyance until claims are allowed at which time , Applicants are prepared to provide appropriate terminal disclaimers.

In an final effort to define patentable subject matter over the prior art proposed by the Examiner, claims 4, 9, and 14 have been cancelled, and their respective limitations incorporated into independent claims 1, 6, and 11 so that claims 1, 6, and 11 are now claims 4, 9, and 14 presented in independent form with all remaining claims depending from these independent claims.

This amendment does not present any new issues after Final Rejection as each amended independent claim is merely a dependent claim already in prosecution now presented in independent form. Therefore, if the Examiner still does not find the application to be in condition for allowance, it is requested that this amendment be entered for the purpose of narrowing the issues for purposes of appeal.

Accordingly, the Examiner is respectfully requested to reconsider his final rejection of remaining claims 1-3, 5-8, 10-13, and 15 under 35 U.S.C. 103(a) over the combination of White et al. (US No. 5,386,494) in view of Morin et al. (US No. 5,748,841).

Applicants in their previous Amendment filed June 25, 2001 pointed out the basic deficiency of White et al. as a reference. <u>White et al. does not disclose means which are responsive to speech terms that are not speech commands to display speech commands which are relevant to the speech terms</u>. White et al. only deals with the detection of spoken

commands. While White et al. may display speech commands which are related or even relevant to other speech commands, it does deal with the detection with speech terms which are not commands. <u>White et al. only discloses the detection of commands.</u>

In attempting to cure this basic deficiency of the White et al. reference, the Examiner has picked and chosen a portion of the Morin et al. disclosure, given it an interpretation and then combined it with the disclosure of White et al. in a manner which is in no way suggested by either of the combined references. It is submitted that the suggestion for combining these two references in the Examiner's interpreted manner could only come from Applicants' own teaching, and, thus, cannot form any basis for a combination of references.

Both the system of the present invention and that of White et al. are directed to speech recognition computer systems in which specified actions are performed on the computer controlled display in response to specific spoken commands. However unlike White et al., the present invention goes on to deal with other speech terms which are not any of the specific commands directly recognizable by the system. These speech terms have similar meanings to any of the specified commands recognized by the system, and such speech terms could be reasonably spoken by a user trying to achieve the same results as a specified command. The present invention establishes means for detecting whether such a non-command speech term may have relevance to one of the specified commands, and if such relevance is detected, for then displaying the specified relevant command simultaneously with any normally recognized command. This gives the user the opportunity to easily select such

relevant commands on an equal basis with the normally recognized commands.

Morin et al. relates to a complex process for heuristically teaching a user the command languages of computer operating systems as well as programming applications for such systems through spoken user input and feedback from the system. There is no suggestion from the basic White et al. system as to why and how one skilled in the art could modify it with elements of the heuristic i.e. self-learning system of Morin et al.. It is submitted that the suggestion for combining these two references could only come from Applicants' own teaching, and, thus, cannot form any basis for a combination of references.

It appears that the combination of the White et al. and Morin et al. references is being made not with the requisite foresight of one skilled in the art, but rather with the hindsight obtained solely by the teaching of the present invention. This approach cannot be used to render Applicants' invention unpatentable.

> "To imbue one of ordinary skill in the art with knowledge of the invention in suit, when no prior art references of record convey nor suggest that knowledge, is to fall victim to the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher." W. L. Gore, 721 F 2d at 1553, 220 USPQ, pp. 312-313.
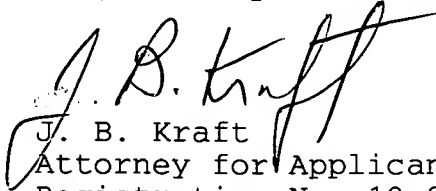
> "One cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention." In re Fine, 5 USPQ 2d 1596 (C.A.F.C.) 1988.

However, even with the Examiner's combination of references, there still remains a significant deficiency in the combined references. There is no teaching of displaying the proposed commands based relevance to spoken terms

simultaneously with the display of any normally recognized commands.

In view of the foregoing, claims 1-3, 5-8, 10-13, and 15, all of the remaining claims in the present patent application are submitted to be in condition for allowance, such allowance is respectfully requested.

Respectfully submitted,

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